

LIST OF AMENDMENTS TO THE CALIFORNIA RULES OF COURT

Adopted by the Judicial Council of California

Effective October 15, 2003

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Rule 6.170. Working Group on Court Security

(a) [Purpose] The Judicial Council establishes the Working Group on Court Security. The purpose of the working group is to recommend uniform standards and guidelines that may be used by the Judicial Council and any sheriff or marshal for the implementation of trial court security services. The Working Group on Court Security must also consult with the Administrative Office of the Courts' Office of Court Construction and Management regarding security considerations for court facilities. The Judicial Council, after receiving recommendations from the working group on court security, may adopt rules, standards, guidelines, and policy directions for the trial courts in order to achieve efficiencies that will reduce security operating costs and constrain growth in those costs.

(b) [Composition] The group is composed as follows:

- (1) Eight representatives from the judicial branch of government selected by the Chief Justice;
- (2) Two representatives of the counties selected by the California State Association of Counties;
- (3) Three representatives of the county sheriffs selected by the California State Sheriffs' Association;
- (4) One representative of labor selected by the California Coalition of Law Enforcement Associations; and
- (5) One representative selected by the Peace Officers Research Association of California.

(c) [Chair] The Chief Justice may appoint an appellate court justice to serve as non-voting chair.

(d) [Initial terms]

(1) The initial terms of the members of the working group are as follows:

(A) Four years for three representatives of the judicial branch, one representative of the counties, one representative of the county sheriffs, one representative of the California Coalition of Law Enforcement Associations, and one representative of the Peace Officers Research Association of California.

(B) Three years for three representatives of the judicial branch, one representative of the counties, and one representative of the county sheriffs.

(C) Two years for two representatives of the judicial branch, and one representative of the county sheriffs.

(2) The appointing authority may designate which members are appointed to two-, three-, and four-year terms.

(e) [Terms] After the initial terms of members of the working group as provided in subdivision (d), the terms of members are three years. The appointing authority may fill any vacancy occurring for the remainder of the term.

Rule 6.170 adopted effective October 15, 2003.

~~Rule 6.170~~ 6.171. Working Group on Court Security Fiscal Guidelines.

(a) [Purpose] The Judicial Council hereby establishes the Working Group on Court Security Fiscal Guidelines. The purpose of the working group is to consider whether modifications are necessary and appropriate to the template which determines security costs, pursuant to Government Code section 69927(a)(1) (“template review”) and to recommend changes to the limit for allowable costs, as set forth in Government Code section 69927(a)(4~~5~~) (“allowable costs review”). Template review may involve, among other items, that part of the template affecting law enforcement or security personnel in courtrooms or court detention facilities (“personnel template review”).

(Subd. (a) amended effective October 15, 2003; previously amended effective March 1, 2003; adopted January 1, 2003.)

(b) [Composition]

- (1) Composition for allowable costs review and template review, except personnel template review.* In performing allowable costs review and template review, except personnel template review, the group shall be composed as follows:
 - (A) Six representatives from the judicial branch of government from the Working Group on Court Security established in rule 6.170, as selected by the Administrative Director of the Courts;
 - (B) The two representatives of the counties from the Working Group on Court Security established in rule 6.170, ~~as selected by the California State Association of Counties~~; and
 - (C) The three representatives of the county sheriffs from the Working Group on Court Security established in rule 6.170, ~~as selected by the California State Sheriffs' Association~~.
- (2) Composition for personnel template review.* In performing personnel template review, the group shall be composed as follows:
 - (A) The six representatives from the judicial branch of government selected by the Administrative Director of the Courts, under subdivision (b)(1)(A);
 - (B) The two representatives of the counties ~~selected by the California State Association of Counties~~, under subdivision (b)(1)(B);
 - (C) Two of the three representatives of the county sheriffs ~~selected by the California State Sheriffs' Association~~ under subdivision (b)(1)(C) as determined by ~~that association~~ the California State Sheriffs' Association; and
 - (D) Two representatives of labor selected by the California Coalition of Law Enforcement Associations.

(Subd (b) amended effective October 15, 2003; previously repealed and adopted effective March 1, 2003; adopted effective January 1, 2003.)

- (c) [Chair]** The Administrative Director of the Courts may designate one of the judicial branch members to be chair of the working group.

(d) [Initial Terms]

(1) The initial and subsequent terms of the members of the Working Group on Court Security Fiscal Guidelines who are members because they are members of the working group established in rule 6.170 expire when their terms on that working group expire. The terms of any other members of the working group on court security guidelines are three years. ~~as follows:~~

~~(A) Four years for two representatives of the judicial branch, one representative of the counties, and one representative of the county sheriffs.~~

~~(B) Three years for two representatives of the judicial branch, one representative of the counties, and one representative of the county sheriffs.~~

~~(C) Two years for two representatives of the judicial branch and one representative of the county sheriffs.~~

~~(2) The appointing authority may designate which members are appointed to two, three, and four year terms.~~

(Subd (d) amended effective October 15, 2003; adopted January 1, 2003.)

~~(e) [Terms] After the initial terms of members of the working group as provided in subdivision (c), the terms of members are three years. (2) The appointing authority may fill any vacancy occurring for the remainder of the term.~~

(Subd (e) repealed effective October 15, 2003; adopted effective January 1, 2003.)

Rule 6.171 adopted effective October 15, 2003; previously adopted as rule 6.170 effective January 1, 2003.

Rule 6.203. Contractual Indemnification

(a) [Intent] The intent of this rule is to facilitate the use of contractual indemnities that allocate legal risk and liability to parties that contract with a superior court or Court of Appeal, the Supreme Court, the Judicial Council, or the Administrative Office of the Courts (a “judicial branch entity” as defined in Gov. Code, § 900.3).

(b) [Defense and Indemnification Provisions] Notwithstanding rule 6.14, 6.201, or 6.202, a judicial branch entity may enter into a contract that requires the contractor or the contractor's insurer to indemnify, defend, and hold harmless the entity and its officers, agents, and employees against claims, demands, liability, damages, attorney fees, costs, expenses, or losses arising from the performance of the contract. Upon receipt of notice of a claim or lawsuit that may be subject to contractual indemnities, the judicial branch entity must notify the Administrative Office of the Courts, Office of the General Counsel, which will manage the claim or lawsuit to obtain the benefits of the contractual indemnities to the extent consistent with the interests of the public and the judicial branch.

Rule 6.203 adopted effective October 15, 2003.